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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/607,019 06/29/00 MAZUR

R 47171-00268

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JENKENS & GILCHRIST
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PM82/0921

EXAMINER

SHAPIRO, J

ART UNIT

PAPER NUMBER

3651

DATE MAILED:

09/21/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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Office Action Summary

Application No.

09/607,019

Applicant(s)

MAZUR ET AL.

Examiner

Jeffrey A. Shapiro

Art Unit

3651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 164-337 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 164-337 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

This application contains claims directed to the following patentably distinct species of the claimed invention:

Species I, Claims 164-213, drawn to a currency evaluation device having a processor to determine, in a first mode, whether bills meet or fail to meet a non-piece count-related criterion.

Species II, Claims 214-258, drawn to a currency evaluation device having a processor transporting bills in a second mode, at a rate of at least 800 per minute;

Species III, Claims 259-267, drawn to a currency evaluation device having a discriminating unit adapted to count and denominate bills in a third mode, including bills of a plurality of denominations;

Species IV, Claims 268-272, drawn to a currency evaluation device having an optical scanning head;

Species V, Claims 273-289, drawn to a currency evaluation device having a processor, in a fourth mode, wherein bills flagged to meet certain criteria are directed to a particular output receptacle;

Species VI, Claims 290-300, drawn to a currency evaluation device having a processor and an encoder adapted to produce tracking signals;

Species VII, Claims 301-305, drawn to a currency evaluation device having a processor adapted to receive a characteristic information signal and generate a denomination signal in response thereto;

Species VIII, Claims 306-321, drawn to a currency evaluation device having a processor, in a fifth mode, wherein in response to a determination that a bill meets a stranger bill criterion, and in response to a determination that a bill meets a no call bill criterion, and wherein a bill criterion is termed a stranger bill, and wherein a bill which meets the no call bill criterion is termed a no call bill, a transport mechanism is caused to halt;

Species VIV, Claims 322-325, drawn to a currency evaluation device programmed in a sixth mode of operation to route bills to an output receptacle, rout bills having any other of the plurality of denominations to the second one of the output receptacles and present no call bills in a third output receptacle;

Species X, Claims 326-329, drawn to a currency evaluation device having a discriminating unit adapted to determine the face orientation of bills;

Species XI, Claims 330-333, drawn to a currency evaluation device having a processor programmed in a seventh mode of operation to, upon encountering a bill having neither a first or second target denomination, to then stop the operation of the device if both the first and second receptacles have at least one bill in them, or to route the bill having neither the first or second target denomination to an empty receptacle if one of the output receptacles is empty, and then to reset the first target denomination to be the denomination of the bill;

Species XII, Claims 334-337, drawn to a currency evaluation device having a processor programmed in an eighth mode of operation wherein a denomination change error is generated;

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, Claims 209-213 appear to be generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey A. Shapiro whose telephone number is (703)308-3423. The examiner can normally be reached on 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher P. Ellis can be reached on (703)308-2560. The fax phone numbers for the organization where this application or proceeding is assigned are (703)308-0552 for regular communications and (703)308-0552 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-1113.



CHRISTOPHER P. ELLIS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3800

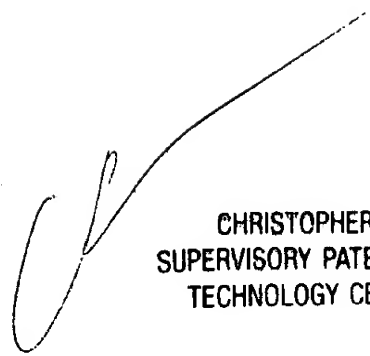
Application/Control Number: 09/607,019
Art Unit: 3651

Page 6

A handwritten signature in black ink, appearing to read 'Jeffrey A. Shapiro', with a stylized, flowing script.

Jeffrey A. Shapiro
Patent Examiner,
Art Unit 3651

September 20, 2001

A handwritten signature in black ink, appearing to read 'Christopher P. Ellis', with a large, sweeping initial 'C'.

CHRISTOPHER P. ELLIS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600